Legal Services Commission First Report March, 1976

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Legal Services Commission First Report March, 1976

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Our File No.

1st April, 1976.

The Hon. Garde Gardom,
Attorney-General,
Parliament Buildings,
VICTORIA, B.C.

Dear Sir,

Section 14 of the Legal Services Commission Act requires the Commission to submit annually a report of its operations, an audited financial statement for the preceding fiscal year, and a draft budget for the next fiscal year. This report is to be laid before the Legislative Assembly if it is then sitting.

Although the Commission has not completed a full year of operation and has not had its books audited for the fiscal year just ended, the Commissioners felt it appropriate to report to the Legislative Assembly on its first seven months of operation and to submit the draft budget showing how much money is needed to make adequate provision for public legal services in the 1976/77 fiscal year.

I have the pleasure to present this report to you on behalf of the Legal Services Commission, to be laid before the Legislative Assembly.

Yours truly,

Donald E. Jabour
Chairman

Chairman
DONALD E. JABOUR

Commissioners
CECIL O. BRANSON
HELEN M. JONES
PETER A. MANSON
WALTER D. YOUNG

Consultant
JOE MATHIAS

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CHAPTER ONE

HISTORY OF PUBLIC LEGAL SERVICES IN BRITISH COLUMBIA

Traditionally, laywers have provided,as part of their obligation to society,voluntary legal assistance to the poor. However, this generosity was uneven, and most disadvantaged people never approached lawyers' offices. Many people did not know which of their problems were suitable for legal help, did not know lawyers to contact, and were fearful and suspicious of lawyers and the legal system.

Law Society Legal Aid Clinics

Lawyers realized the inadequacy of legal aid delivered on an unorganized and voluntary basis. Towards the end of 1952, the Law Society introduced a limited legal aid plan in which local Bar Associations established legal aid clinics throughout the Province. These clinics publicized the availability of legal aid, screened applicants, gave summary advice, and referred deserving cases to private lawyers willing to act without fee.

Law Students Legal Advice Clinics

In 1969 a new effort to provide legal services on a mass basis was begun by law students from the University of British Columbia. They established several Legal Advice Clinics in the Vancouver area. The Law Students Program is still in operation with 15 advice centres operating weekly throughout the lower mainland. Over 5,000 persons a year receive free legal advice at these centres.

Vancouver Community Legal Assistance Society

One of the outgrowths of the Law Students Program was the incorporation in 1971 of the Vancouver Community Legal Assistance Society (VCLAS). Funded federally, VCLAS established the first store-front community law office in Canada.

Its objects include providing direct service to persons referred from law student legal advice centres, taking test cases, counselling self-help groups and engaging in legal education and law reform.

Law Foundation of British Columbia

Another event which occurred in 1969 which greatly aided the growth of legal services, was the establishment of the Law Foundation of B.C. Interest earned on lawyers' trust accounts is paid to the Foundation to be used for Legal Aid, Law Libraries, Legal Education, Legal Research, and Law Reform. In 1975 the income to the Foundation from these trust accounts was expected to exceed $2,000,000. To date the Law Foundation has provided substantial funds for public legal services.

Legal Aid Society

In 1970 the Law Society created the Legal Aid Society. Originally funded by the Attorney-General's Department and the Law Foundation, it started with one office and three staff lawyers in Vancouver. Today it has 15 regional offices throughout the Province and 30 staff lawyers.

The Law Society appoints a majority of the Legal Aid Society's directors. Other directors represent social work, native Indian groups, the Judiciary and the Provincial Government. Legal Aid offices provide duty counsel in criminal courts, give summary advice, process applications, and assign criminal and family cases to willing lawyers in private practice. Staff lawyers also provide some services directly to clients, especially in areas of the Province where there is a shortage of lawyers and in legal matters where there is no tariff to pay private lawyers.

Federal Financial Aid

In 1972 the Federal Government entered the legal aid

field. A major Federal cost sharing program was created under which British Columbia receives 90% of its cost of Criminal Legal Aid up to a maximum amount of 50¢ for each resident of B.C. Additionally, the programs of Opportunities for Youth, Local Improvement Programs, and of the Secretary of State provided funds to many private groups which entered the public legal services field. Law students, Civil Liberties Associations, community welfare associations and other concerned citizens received funding to offer general advice, including legal information, to citizens. In 1973 and 1974 the Community Programs Branch of the Department of Human Resources funded a number of these organizations. Elizabeth Fry and John Howard workers also have been active in attending in courts offering general advice to accused persons and seeing if they need legal representation.

Native Courtworker and Counselling Association

In 1973 the Native Courtworker and Counselling Association was established primarily to counsel natives appearing in court who often did not understand the legal system, the charges against them, or the seriousness of their predicament. They often cannot or will not communicate with the 'white' courtworkers, police, lawyers or judges. The Courtworkers obtain legal aid where necessary, speak to bail applications and sentencings, interpret the accused's situation to the court and generally attempt to ensure a fair hearing for natives before the courts. They now offer this same service to any accused person.

Justice Development Commission

In 1973, the Provincial Government created the Justice Development Commission to plan the future development of the administration of justice in B.C., including, according to the Administration of Justice Act, "... the provision of

adequate legal services, including the operation of legal aid offices."

On May 1st, 1974, the J.D.C. created the Delivery of Legal Services Project, headed by Peter Leask, to examine the best means of delivering legal services to disadvantaged people and to examine the extent of the need for legal services in the Province. The project was also to encourage change and to institute pilot projects.

Leask, with two representatives from the Law Society toured the Province. In addition to studying the topics mentioned, the project encouraged local groups wanting to provide legal services to the disadvantaged to apply for funding. As a result, the Legal Services Division of the Attorney-General's Department, under the direction of John Brewin, received applications and funded a number of community groups, some of which had previously been funded under O.F.Y. or L.I.P. grants or by the Department of Human Resources. These groups provided quasi-legal services utilizing paraprofessionals, sponsored public education programs, or operated store-front type of legal service offices. The Kamloops Civil Liberties Association, Nanaimo AID, VCLAS, Vancouver People's Law School, and the Matsqui, Sumas, Abbotsford Community Services Society are some examples of the groups thus funded.

Leask Report

On December 14th, 1974, the Leask Report was published. As well as reviewing various methods of delivering legal services (above described), Leask commented on the unmet needs of the Province:

> "The most striking fact that emerges from examining the present system of delivering legal services to the disadvantaged in British Columbia is that the major focus of the effort has been on a very narrow range of problems. The activities of the Legal Aid

> Society have concentrated on the tariff items and particularly criminal defences.... If economically disadvantaged people have legal problems of the same basic character as the section of society who make use of legal services, a reasonable estimate would be that three quarters of their problems are not covered by a legal aid tariff."

Although the Report was criticized in some quarters for not defining the parameters of this unmet need (some estimated it might cost $1 million to adequately survey the Province) most lawyers acknowledged that there were more people and problems to be reached than was presently being done. As Leask stated:

> "[There] are situations where economically underprivileged people have problems not encountered by those in a position of greater economic privilege. One class of such situations involves dealing with certain administrative hierarchies set up to deal with the economically underprivileged, i.e. the welfare systems and the unemployment insurance system. These are areas where at the moment lawyers do not operate."

Leask found that within the Province there were social diversities, economic disparities and geographical differences which characterized different communities. He therefore concluded that only one method of delivering legal services would not be suitable for the whole Province. He recommended the adoption of a decentralized system which would allow each community to choose the type of legal services it needed.

Leask felt that a decentralized scheme would require some central agency to be the policy maker, to help local groups define their problems, to assist in organizing, and to supervise the funding of local organizations. He recommended that the central agency be a nine member commission with members coming from the Bar, the Government and the public, and staffed with lawyers, community development workers, educators and researchers.

Leask added:

> "There is another advantage of decentralization and that is the involvement of local people in the perception of and solution of local problems. It is far too easy for any centrally planned system to seem remote, impersonal, bureaucratic and distant from all the communities of the Province wrestling with legal services' problems of one kind or another. A system which is consciously decentralized and places responsibility for analyzing local problems and arriving at suitable local solutions on people of the locality will serve as a means of encouraging real involvement from people in their own problems rather than passive acceptance or rejection of a centrally designed system."

At the time Leask's report was published, there was a proliferation of organizations seeking funds to finance their form of legal services. There were differences of opinion on how these organizations should be regulated and which ones should receive Government funds. Upon consideration of the Leask Report the B.C. Branch of the Canadian Bar Association passed the following Resolution:

> "WHEREAS the legal problems of the individual often arise in dealing with the Crown and its agencies, and it is essential that delivery of legal services remain independent of the Government
>
> BE IT RESOLVED that this Provincial Council of the B.C. Branch of the Canadian Bar Association inform the Government of British Columbia of the following three resolutions approved by the Provincial Council:
>
> a) a person ought not to be deprived of essential legal advice or legal services by lack of funds;
>
> b) a person should be entitled to essential legal services as a matter of right;
>
> c) the burden of providing these legal services to the disadvantaged should be borne by the community as a whole;
>
> AND BE IT FURTHER RESOLVED that the Provincial Council of the B.C.Branch of the Canadian Bar Association request the Government of British Columbia to proceed with all possible speed to consult with the Law Society and the Branch on ways and means of implementing the foregoing."

Legal Services Commission Act

Subsequently, in consultation with the Law Society and the Canadian Bar Association, the Attorney-General's Department drew up Bill 96 of the 1975 spring sitting of the Legislature called "Legal Service Commission Act". During the debate in the House the present Attorney-General, Garde Gardom, who was then a Member of the Opposition said:

> "Mr. Speaker, this is something that I have argued and pleaded and cajoled and advocated way back since 1966. I can tell you, for me it's a banner day to see that we have brought this Bill in this Province because there is one characteristic of the law that has been a burden from the outset and that has been its inaccessibility to those people who are economically under-privileged."

Also the present Minister of Labour, Allan Williams, who was also then a Member of the Opposition stated:

> "I would think that if this Commission can discharge its responsibility and make available - readily available - competent legal advice to people throughout the length and breadth of this Province, the difficulties in the Courts, the difficulties with consumer transactions will lessen as a direct consequence and this can be done with much less cost to the individual and much less cost to the state than has heretofore been the case."

The Act was passed unanimously by the Legislature and proclaimed in force August 1st, 1975, by B.C.Reg.520/75.

The Legal Services Commission came into existence on August 14th with an Order in Council appointing the five commissioners. The Commission officially commenced operations on September 1st, 1975.

CHAPTER TWO

SCHEME OF THE LEGAL SERVICES COMMISSION ACT

The Legal Services Commission Act, 1975 S.B.C., c.36 (See Appendix A) created a five man commission. Two commissioners were appointed by the Lieut.-Governor in Council. They were Walter D. Young, Ph.D., Head of the Political Science Department at the University of Victoria, and Helen M. Jones, M.S.W., of Vancouver, from the Unified Family Court Project in Surrey.

Two members were appointed by the Benchers of the Law Society. In consultation with the B.C.Branch of the Canadian Bar Association they appointed Peter A. Manson, immediate past-president of the B.C.Branch, and Cecil O.D.Branson of Victoria, an executive member of the Canadian Bar Association.

The fifth commissioner was appointed by the Attorney-General after consultation with the Minister of Justice for Canada. This was Donald E. Jabour, a practicing lawyer from Kelowna. Mr. Jabour was appointed the full-time Chairman, Mrs. Jones became a full-time commissioner as of January 1st, 1976. The other commissioners perform their duties on a part-time basis.

The Attorney-General also appointed Joe Mathias, Chief of the Squamish Band as special consultant on Native matters.

Section 3 of the Act clearly states the task of the Commission:

> "The object and purpose of the commission is to see that legal services are effectively provided to,and readily obtainable by, the people of British Columbia, with special emphasis on those people to whom those services are not presently available for financial or other reasons."

The Act defines "legal services"as including:

"(i) education, advice, and information in or about law, and

(ii) any legal service that may be provided by a barrister and solicitor or a notary public."

The Commission is a Crown corporation and is not covered by the Public Service Act. It therefore can engage employees and specialists as consultants as necessary to carry out its functions. The commissioners are appointed for two year renewable terms. The Commission can receive money from any source and can receive special grants from the Attorney-General. It can carry on its own banking and can invest and administer its own funds. The monies for the Commission shall be appropriated by the Legislature and shall be paid over to the Commission in periodic installments in the manner and times directed by the Minister of Finance.

The purpose of these provisions is to leave the management of public legal services in the hands of a body independent of both the Government and the Bar. It is to consider the public's interest in legal services as well as the interests of the Government and the Bar.

The Commission itself does not deliver legal services. Its function is to plan the development of legal services in the Province and to fund organizations wishing to deliver these services. It is to promote research and experimental programs. It is to consult with local governments, professional groups and educational institutions. It is to provide information to the public respecting the availability of legal services.

The Legal Services Commission Act differs from similar Acts in Canada (such as the Quebec and Saskatchewan Act) in that it does not set out the terms of the Legal Aid Scheme that shall be applied within the Province. Nor does it describe how legal aid offices shall be organized. These details have been left to the Commission to work out.

CHAPTER THREE

ACTIVITIES IN 1975/76

The Legal Services Commission did not start off totally "brand new". In addition to taking on the responsibilities for planning and funding legal services, the Commission took over operations that had been previously handled by the Legal Services Division of the Attorney-General's Department. These operations, and new ones which the Commission developed, are as follows:

Public Legal Information

Public Information and Training

Under the direction of Glen Gallins LL.B. and Meg Richeson M.L.S. (Librarian) this Department placed legal reference books in public libraries and held training workshops for librarians in the use of these materials. Prior to this project, a citizen could not obtain a copy of a Provincial Statute from many public libraries.

Judges Chambers Collection

This Department also planned acquisitions for the Provincial Court Judges' Libraries throughout the Province. No central planning of these libraries had ever been undertaken before; in fact prior to this project, newly appointed Judges often had to purchase reference books and copies of the Criminal Code out of their own money.

Law Library Foundation

The British Columbia Law Library Foundation, which will now take over responsibility for the management of all courthouse libraries and Judges Chambers Libraries in the Province, was developed and incorporated with the Legal Serives Commission working in close cooperation with the Law Society, The Canadian Bar Association, the Attorney-General's Department, the Department of Public Works, and

the Judges of the Supreme, County, and Provincial Courts and the Court of Appeal.

Consolidated Regulations

This Department has also compiled and consolidated all the regulations that have been issued in British Columbia under the B.C. Statutes. This was a massive job as all regulations issued since 1964 were to be found in separate booklets and had never been consolidated. These are now to be produced on microfiche and will be available for all libraries, government offices and law offices.

Central Library Services

The Commission developed a management plan for all the libraries in the Attorney-General's Department which heretofore has had no central planning or purchasing policy. This had resulted in much duplication of purchases and needless extra expense, which now hopefully will be avoided.

Library Services

This Department has developed thirteen libraries for Community Law Offices and has trained their staff in their proper use. The Commission also plans to develop the most definitive library collection in British Columbia on public legal services and lay materials and will offer support services to the Government, the public, and other agencies in this field.

Community Development

Community Law Offices

Community Legal Information Centres

This Department, headed by Grant Reid, M.S.W., supervised the operations of community groups which had received funding to deliver legal services. New offices continued to be opened during 1976. There are presently twelve offices located in the following centres:

Abbotsford	Nanaimo	New Westminster
Vancouver	Quesnel	Powell River

Kamloops	Smithers	Penticton
Maple Ridge	Victoria	Williams Lake

These offices provide legal services for the lower income and disadvantaged sections of their community. These societies are directed by local boards of directors, the philosophy being that just as a wealthy person can hire a lawyer to perform services that he requires, the legal aid client should be able to have some say in the type of services available to him. Therefore, rather than just having legal aid available to defend clients on criminal charges or to aid in Family Court, these community societies set up offices which will help their local citizens with Welfare appeals, Workers' Compensation, Landlord and Tenant problems, Unemployment Insurance, Small Claim cases, discrimination, civil rights, pensions and other miscellaneous battles that individuals often have with government bureaucracies. The offices also help organize disadvantaged citizens into citizens' groups or tenants' organizations to assist them in making representations to civic and provincial governments about matters affecting them. These are all services that traditionally have not been handled by the private Bar or by the Legal Aid Society.

When these offices have a full-time lawyer on staff, they are called Community Law Offices. When they are staffed only by paraprofessional workers, they are called Community Legal Information Centres.

Traditional Legal Aid service placed heavy emphasis on litigation. But most of the problems of the poor are not dealtwith by Court action. Battles with Government bureaucracies are an increasing type of problem coming in to Community Law Offices. The offices are viewed as independent sources of advice. Clients do not feel they will be treated equitably by the Government office with which

they have their dispute.

Poor people have traditionally not seen the Law as an aid for their problems. The Law was usually something that was being used against them by the landlord, their creditors, or the police. They traditionally have not turned to lawyers for help. By being locally developed and staffed by local people, the community offices hope to reach these people with the message that aid is available. Experience has shown that once the reputation and credibility of these offices have been established in the community great use is made of them by the citizens. At the present time approximately 1500 new clients per month seek public legal services through these community offices.

Legal Information Counsellors

One aspect of these offices that bears close attention is their use of paraprofessional workers called Legal Information Counsellors. They are used to interview clients, analyse problems, screen applications, give summary advice, and handle cases in the areas of Welfare appeals, Unemployment Insurance, Small Claims, Workers' Compensation and others. They are local people who know the problems and the people of the community in which they work. They help overcome prospective clients' hesitancy about "bothering a lawyer with my little problem". They also handle minor matters that do not require the services of a fully trained lawyer. In communities where paraprofessionals have been used, their services generally have been well received by clients.

Community Organizing

The problems of the poor will never be resolved on case by case basis. There are just too many people in need and not enough lawyers to go around. A broader attack on poverty problems is needed and one method is by organizing sections of the community to both take group action and to engage in self-help projects. In order to get such

programs moving, organizers have to reach out into the community to show the citizens what can be done and to help organize. This has never been the traditional role of lawyers, nor is it thought to be an appropriate one now. However, it is a function well suited to a paraprofessional worker with close community ties. It is hoped that public education and community organizing will become a major role of the community offices and their lay staff in the future.

These community offices are usually "store-front" operations, easily accessible to clients. Problems which require the services of a lawyer are referred either to the supervising lawyer or the Legal Aid Society; in this way the lawyer's time is saved for truly legal services while interviewing, sorting and fact gathering is done by the paraprofessional.

Public Education

Under the direction of Professor Barry Slutsky LL.D., and Robert Fenton LL.B., this Department developed educational programs to inform the public about legal rights and the operation of the legal system.

Sixty Second Radio Ads

Fifteen dramatizations were developed on various topics of Family Law, such as divorce, adoption, debts, marriage, custody and property, for the purpose of encouraging people to find out more about these topics by contacting their lawyer, Community Law or Legal Aid Office. The ads were first aired in interior communities and it is planned to run them in the lower mainland and Victoria areas after consulting with the legal service agencies operating in these areas.

Ethnic Radio and Newspaper

Radio programs and newspaper articles have been prepared

in Italian, Chinese, Punjabi, and Japanese. They are broadcast over radio station CJVB in Vancouver and published in various ethnic newspapers. One indication of their success is that 705 written requests for transcripts were received after one particular Chinese language program.

Law Related Curriculum for Vancouver Community College

The aim of this project is to provide materials on the law which can be incorporated into the English language training program at the Vancouver Community College. Immigrants learning English thus learn about our law at the same time. Some areas covered are landlord and tenant, immigration, police powers, the court system, motor vehicle traffic and consumer law.

Radio Soap Operas

Radio station CFRO has developed eight dramatizations covering legal problems. This program is jointly funded by the Federal Department of Justice. Radio stations throughout B.C. have expressed interest in obtaining copies of these dramas for re-broadcasting.

Vancouver's People's Law School

This group is widely known for its night-time courses on every day legal problems for the layman. The Legal Services Commission provided funds for the school to produce pamphlets and written material in support of their courses.

Interior Legal Awareness Society

This experimental program of public education was developed in close cooperation with the Cariboo-Thompson-Nicola Library system, the Kamloops Justice Council and the local Bar Association. This group has sponsored lectures, seminars, films and demonstrations from Merritt to Williams Lake for professionals and the public. The experiences of this Society will help to develop guidelines

for future cooperative education programs in the Province.

Handbook for the Elderly

This loose-leaf reference manual is entitled "Wills Estates and Government Benefits, a Layman's Guide". It was prepared to be used by social workers, information centres, clergymen, librarians and others who are called upon to inform senior citizens of their rights and responsibilities. Over 1,000 copies have been distributed. It will be periodically updated. Besides wills and estates, it also covers Old Age Pensions, Guaranteed Income Supplement, Mincome, Canada Pension Plan, B.C. Hospital Insurance, Medical Plan, Powers of Attorney and related Provincial legislation. The Handbook has been acclaimed to be of great assistance in working with senior citizens, and plans are being considered to make it available, at low cost, to lawyers, trust companies, banks, insurance companies and credit unions.

Public Programs

The Commission developed an education program on Family Law which community offices could take as a package and conduct in their own areas. The program provided radio scripts, lecture material, literature handouts and reference material.

Native Programs

Prior to September, 1975, a Native Task Force surveyed the special legal needs of the Native population of British Columbia. The Task Force ended in August, and Mr.Keith Sero who had worked on the Task Force, joined the Commission as Director of the Native Programs Branch.

The Native population of B.C. has many legal problems different from those of the 'white' community. Native communities are often in remote areas of the Province, away

from lawyers' services and the courts. Native people often do not understand our legal system nor our language. When they come to urban centres, often they have no friends or relatives to turn to when in trouble. They face discrimination and prejudice. They do not feel at ease approaching a legal Aid office, a 'white' community worker, or asking the police or a judge in court for help. There are very few Native lawyers in B.C. The provision of legal services to remote areas of the Province is obviously a more expensive procedure than in urban communities.

Native Community Offices

This Department has opened a Native Community Law Office in Skidegate and Masset in the Queen Charlotte Islands, and a Legal Information Centre in Merritt. These are both areas with high Indian population. It is hoped that additional offices can be developed in other parts of the Province in the coming year.

Friendship Centres

Friendship Centres exist throughout B.C., where Natives from out of town can find friendship, aid and advice on problems they may have. A great majority of the Native Indians dropping into the Friendship Centres have legal problems and the workers in the Centres have not been able to assist. A field worker has been hired to develop a legal service capacity among the workers in various Friendship Centres throughout B.C. These paraprofessional workers will work hand in hand with the Legal Aid and Community Law Office lawyers.

Law Students' Assistance

This Department is developing a plan to assist Native students to enter Law School. Preliminary training and aptitude testing is performed at the University of Saskatchewan. The Universities of British Columbia and Victoria

are cooperating in this program to give extra tutoring to promising students they will admit to Law School beginning in September, 1976.

Native Courtworker and Counselling Association

This group has its own Board of Directors and is funded partly by the Provincial Government and the Federal Department of Justice. Its funding and supervision will now come from the Legal Services Commission. It employs thirty-three courtworkers throughout B.C. to attend Provincial Court, to advise Native Indians who are being charged of their rights, and to give them what assistance they can. Courtworkers will obtain legal assistance for the accused if necessary, will speak to adjournments and bail, and will provide background material to the court and lawyer on questions of sentencing. This Courtworker program has been universally hailed by judges, prosecutors and defence lawyers alike as being of tremendous assistance to all who are concerned in the judicial process.

The Native Task Force commissioned Professor Fred Zemans of Osgood Hall, Toronto, to evaluate the Native Courtworkers Association. This evaluation took place during the summer and fall of 1975 and a lengthy report has been filed suggesting improvements in the administration of the Association and the supervision and training of the courtworkers. Professor Zemans recommends an expanded role in each community for the courtworker and recommends more extensive supervision and training. The Legal Services Commission intends to assist the Native Courtworkers Association in implementing these recommendations.

Training

When the Legal Services Commission came into operation September 1st, 1975, the paraprofessionals working

in the community offices had not received adequate training for the increased work load they were carrying. Therefore it became a priority for the Commission to provide training. Under the direction of Donna Kydd, LL.B., this Department has designed and conducted training programs for all of these paraprofessionals, as well as the paraprofessionals working in the Native Community Offices.

This Department has also consulted and cooperated with the Legal Aid Society, the Law Society, Native Courtworkers and Counselling Association and the Canadian Bar Association on the matter of training programs for other paraprofessionals.

Public Schools Legal Education Project

The Public Schools Legal Education Project was established on the basis of a survey of Law 11 teachers and students in 1974. It found that the students were bored, the teachers under-trained, the texts inadequate, and that the curriculum was irrelevant to what the students wanted to learn. Originally envisaged by Dr. Barry Slutsky of the Faculty of Law at U.B.C., the Schools Project seeks to develop new curricula from kindergarten to grade 12 that will be more relevant and interesting to the students and teachers. The Commission provides resource material and funds for teachers in a classroom setting to work with their students in developing new curriculum units in law within the existing social studies, guidance, or commercial courses. When these new units are developed, they will be made available to all teachers in B.C. to utilize. Hopefully our students will end up with a better knowledge of our legal system, their rights, and their responsibilities. To direct this program the Commission hired Mr. Gary Onstad LL.B. a professional teacher and curriculum developer.

Teacher Development

Another aspect of this project is to improve the professional qualifications of teachers giving law courses. The survey showed most teachers who were teaching Law 11 did so because they were "stuck with it". Workshops for teachers are being held and in addition the Faculties of Education and Law at the University of Victoria have co-operated to present a summer school course for teachers in law, credits for which will go towards a Masters degree in Education.

Legal Aid Society

As mentioned in the first chapter of this report, the Legal Aid Society has its own Board of Directors, operates fifteen offices with thirty staff lawyers, and administers the Criminal Tariff and the Family Tariff for the whole Province. Persons who are charged with an offence or who have a matrimonial problem and who are financially eligible can have a lawyer from private practice assigned to them, or the client can choose his own lawyer. The lawyer is then paid under the Legal Aid Tariff at a rate that would be one third or less of normal fees.

Legal Aid offices are located in the following cities:

Vancouver	Victoria	Nanaimo
Campbell River	New Westminster	Chilliwack
Kelowna	Nelson	Kamloops
Surrey	Prince George	Williams Lake
Fort St. John	Prince Rupert	Cranbrook

Staff Lawyers in these offices also handle cases for clients.

Ideally, Legal Aid offices should assign all criminal and family matters,and the staff lawyers should handle all non-tariff civil matters such as Welfare appeals, Pensions, Unemployment Insurance and Workers' Compensation problems. However, in communities outside of the lower mainland and

Victoria, it has not always been practical or possible to find enough lawyers to take all the criminal and family matters that arise, so the experience to date has been that Legal Aid staff lawyers in these offices are themselves mainly engaged in criminal and family matters and have not developed service in these other areas.*

For a further discussion of the Legal Aid Criminal Tariff and Drug Conspiracy cases see Chapter 4.

Vancouver Community Legal Assistance Society

VCLAS does not handle ordinary legal aid cases. It takes on litigation or test cases which raise novel or significant issues of law or social policy. Through such cases it hopes to effect reform in those areas of the law which affect disadvantaged persons. It assists community groups and conducts public education programs. In VCLAS's own words "we try to get people off welfare". Some of its significate projects in the past eighteen months have been:

> It brought a successful case against B.C. Hydro for declaration that its demands for security deposits were discriminatory and without authority.
>
> It is presently conducting a similar case against the B.C. Telephone Company to have declared illegal its practice of requiring security deposits.
>
> VCLAS is challenging the practice of the Rentalsman's office in screening out appeals which it deems frivolous without giving the parties a hearing. Other questionable practices of the Rentalsman and of the Rent Review Commission are also being challenged.
>
> VCLAS is investigating the development of procedures whereby present and ex-mental patients may have access to their own medical records.
>
> VCLAS is seeking to establish that a Union member has a right of dissent within the Union and a right for full and fair hearing with representation by Counsel on any charges that the Union member has violated the Constitution or By-laws.

* For further information on the operation of the Legal Aid Society refer to the "Annual Report of the Legal Aid Society".

It is also attempting to establish that the Labour Relations Board has a statutory obligation to respond immediately to a labourer's complaint of unfair treatment by his/her own Union.

VCLAS has assisted in the incorporation of many community organizations and has continued to advise them in their self-help projects.

VCLAS has produced many pamphlets on varied topics: "Understand Mortages", "A Guide to the Incorporation and Operation of a Cooperative in B.C.","Small Claims Court Motor Vehicle Accident Cases", "The Dangers of Buying Cars from Used Car Lots" are examples.

It mails "Legal Hints" monthly with Social Assistance cheques in the Vancouver area.

VCLAS supervises the operation of fifteen Law Student Advice Clinics throughout Vancouver.

VCLAS operates a telephone advice line to the northern communities of Kitimat, Terrace, Smithers, Hazelton, Prince Rupert, and Prince George.

CHAPTER FOUR

CRIMINAL TARIFF AND DRUG CONSPIRACY CASES

One of the most serious problems that the Legal Services Commission and the Legal Aid Society had to face this year, and will continue to face in the coming year, is that raised by a number of large drug conspiracy and trafficking cases and their effect on the Criminal Legal Aid Tariff. The amount spent on criminal legal aid in the past years has been as follows:

1973/74	$1,496,000
1974/75	2,380,000
* 1975/76	3,100,000

* Estimated to March 31st, 1976.

Tape-recorded Evidence

In the fall of 1975 a new phenomenon entered the criminal court scene. These were the large drug conspiracy and trafficking cases that resulted from increased police investigation activity. Through increased use of wire-tap evidence, as permitted by recent amendments to the Criminal Code, the police have been able to amass hours and hours of electronic evidence which they use in an attempt to prove conspiracy charges. In trials and preliminary hearings where this tape recorded evidence is to be presented, the court must listen to it being replayed.

Some cases have 200-500 hours of tape recordings. One case is reported to have 1,700 hours of taped evidence. Since there are at the most five court hours a day, 300 hours of taped evidence would take 60 days of listening. There are approximately 20 court days in a month; therefore it will take three months just to hear the taped evidence, disregarding the time required for all other evidence. If, after a preliminary hearing, the accused are committed for trial, that process will have to be repeated at the trial.

Estimated Cost of the Conspiracy Trials

Apart from cases where there is wire-tap evidence, the increased police activity also resulted in numerous other drug charges. As at December 1, 1975, it was estimated that there were 52 major drug cases under prosecution. In those 52 cases there were 123 accused persons. Fifty-one of those persons had Legal Aid lawyers when the matter was last checked into in January. Some of the 72 other accused may apply for Legal Aid in the future.

In the 51 instances in which Legal Aid lawyers had been appointed, the time that would be required for the preliminary hearing and trial was estimated. Some cases were estimated at 30 or 45 days; some at three or four months. (This amount of time is for the preliminary inquiry alone; the trial may be equally as long or longer). It was estimated that there were 2,800 lawyer days of court work in 47 of the cases plus an additional 440 days in another four cases. These latter four cases are being paid at the rate of $200 per day, per lawyer, or $88,000 total. This was a special arrangement that was made on one occasion only. The balance of the cases are being paid for at $100 per day, per lawyer, for a total of $288,000. This makes a total of fees to lawyers of $376,000. Added to that must be the cost of transcripts, which have been estimated at $54,000 for a total figure of $430,000.

There has been no allowance made in the above figures for preparation fees, and the Commission feels it unthinkable to ask lawyers to take on such large cases without a preparation fee. If this is arranged then the cost of these cases could easily reach $500,000.

The above figures were predicated on paying lawyers $100 per day (except for the four cases mentioned). In fact some lawyers have been refusing to act for this price. Since a lawyer's overhead can easily be from $80 to over

$100 per day, it is understandable that they cannot afford to take a case lasting over one month for only $100 per day. If the Legal Aid Society has to pay more than $100 per day, the above estimates will have to be increased.

A single case that was estimated to last for four months was reported in the press to be capable of running for a year for the preliminary inquiry alone. This is a case where there are nineteen accused persons and nine legal aid counsel. If that case should run for a year for the preliminary, and again for the trial, it would add $750,000 in defence fees and transcripts to the above estimates.

Furthermore, there is the possibility of appeals, and if the present level of activity of the R.C.M.P. and the Coordinated Law Enforcement Unit is maintained, there will be new cases to add to the list. The Criminal Legal Aid Tariff could therefore be easily facing $1,000,000 to handle these heavy cases.

Analysis of Criminal Tariff Costs

Although the matter of increasing Criminal Tariff costs has been brought forcefully to our attention because of the influx in large drug cases, those costs only represent one quarter or less of the total Criminal Tariff. In a test period between January and April, 1975, the volume of the Criminal Tariff cases broke down as shown in TABLE A.

Of the above cases, 13.1% were theft under $200, 9% impaired driving, 7.4% breaking and entering, 5.7% bail violations, 3.8% mischief, 3.7% possession of stolen property over $200, and 3% theft over $200.

The Pre-trial Services Division of the Justice Development Commission produced a report on September 15, 1975,

analyzing adult legal aid in B.C. provincial criminal courts, and during the test period from January to April, 1975, they found that out of a total of 678 cases, 43.3% pleaded guilty, usually at the first appearance, 11.4% of the cases had a stay of proceedings entered, 6.2% of the cases were withdrawn or dismissed at an early stage, 15.2% of the cases went to trial and there was an acquittal; 17.4% went to trial and there was a conviction. Of all cases, 6.6% went off on other grounds such as waiver to other jurisdictions, not guilty by reason of insanity, not fit to stand trial, or client deceased. This shows that only 32.6% of the cases coming to Legal Aid went to trial, and almost half of those resulted in acquittal. Of all legal aid cases, 60.9% were disposed of at an early stage without trial.

TABLE A

PERCENTAGE BREAKDOWN OF TYPES OF CASES HANDLED

Criminal Code - Indictable and electable offences		24.1%
Criminal Code - Indictable - Provincial Judge		15.5%
Criminal Code - Summary Conviction		33.7%
Drug Offences:		
a) Opiates		
- trafficking	1.4%	
- possession for the purpose	.4%	
- possession	3.8%	5.6%
b) Marijuana, Hashish		
- trafficking	.2%	
- possession for the purpose	1.2%	
- possession	7.4%	8.8%
c) Controlled		
- possession		.1%
d) Restricted		
- trafficking	1.1%	
- possession for the purpose	.4%	
- possession	.4%	1.9%
Other Federal Statutes		3.1%
Provincial Statutes		1.4%
Other		5.8%
		100.0%

TABLE B

COST OF CRIMINAL AND FAMILY TARIFF
APRIL 1, 1975 TO FEBRUARY 29, 1976

	Year to Date	Percentage of Total
Provincial Summary Conviction matters	7,728	.22
Divorce,Family Court and Civil Area Directors' Fees	679,775	19.14
Duty Counsel, Criminal Area Directors' Fees	370,115	10.42
Capital Murder	28,763	.81
Non-Capital	42,009	1.18
Manslaughter	2,791	.08
Rape	57,635	1.62
Narcotics	423,670	11.93
Theft	366,982	10.33
Breaking and Entering	243,749	6.86
Impaired Driving	265,363	7.47
Assault	199,772	5.62
Possession of Deadly Weapon	82,504	2.32
Robbery	147,701	4.16
Soliciting	45,949	1.29
Possession Stolen Property	113,854	3.20
Other Motor Vehicle Offences	97,797	2.75
Breach of Probation	46,423	1.31
Fraud	48,250	1.36
False Pretences	53,711	1.51
Mischief	40,669	1.14
Forgery	23,354	.66
Escape from Lawful Custody	26,353	.75
Creating Disturbance	37,943	1.07
Wilful Damage	59,701	1.69
Failure to Appear	13,216	.37
Shoplifting	11,804	.33
Obstruction of Justice	14,327	.41
	$3,551,919	100.00

TABLE B gives the dollar breakdown as to how much was spent by Legal Aid under each classification of offence from April 1st, 1975, to the end of February 1976.

In Table B the large drug conspiracy costs are not reflected as those bills have not yet been received and are not likely to come in until the 1976/77 fiscal year.

Since monthly expenditures have been running at about $250,000 per month, the total year's expenses will likely be $3,800,000. The amount for civil matters and divorce is expected to exceed $700,000. A sampling taken in November 1975 showed that 46% of the family cases went to handling undefended divorces on behalf of petitioners, 19% to defended divorces, and 11% each to maintenance battles in Family Court and to Protection of Children Act cases.

Federal/Provincial Agreement

Under the Federal/Provincial Agreement for legal aid, the Province receives 50 cents per capita towards the cost of Criminal Legal Aid. In 1975 with an estimated population of 2,471,000 in B.C., this amounted to $1,235,500. If proposals to raise this contribution to 75 cents per capita are carried out, the Province will receive $1,853,250 in the coming fiscal year. Under the agreement the Province has had to agree to provide legal aid in the following matters:

a) Offences contrary to an Act of Parliament punishable by way of indictment.

b) Proceedings under the Juvenile Delinquents Act and all summary conviction offences under an Act of Parliament or Regulation where there is a risk of imprisonment or loss of livelihood.

c) Proceedings under the Extradition Act and the Fugitive Offenders Act.

d) Crown appeals in a), b), or c).

e) Defence appeals where there has been a miscarriage of justice or where the court requests appointment of counsel.

The Federal/Provincial Agreement stipulates that the eligibility requirement be a flexible one to see if the applicant can retain counsel at his own expense without suffering undue financial hardship or being required to dispose of modest necessary assets. A person shall not be disqualified from receiving Legal Aid on the ground that he is not ordinarily a resident in the Province. Another requirement is that an applicant who has been charged with an offence,the penalty for which is either life imprisonment or capital punishment,can retain counsel of his own choosing.

This latter requirement has created a problem in the large conspiracy trials. In cases where there are seven, ten or nineteen accused, since the maximum penalty they are facing is life imprisonment, they are each entitled to choose their own counsel. If all those entitled to legal aid exercise this right, the Tariff ends up paying for a number of lawyers. It is the Commissioners hope that a change in the Federal/Provincial Agreement can be negotiated so that Legal Aid has more control over the number of counsel assigned to any one case as well as the types of cases that must be defended.

Public Defenders

The Commission has considered many possibilities to see if criminal defences generally could be handled any cheaper. For example, a public defender system has been suggested. However, at a tariff rate of $100 per day, a public defender system would not be cheaper. If the tariff rate were to go higher, then staff lawyers might be cheaper, but overhead expenses for lawyers are just about $100 per day now.

This topic needs more study and could benefit from a comparative pilot project. Since it will cost between

$30,000 and $50,000 per year to maintain a staff lawyer, that may not be an advantage over the present system. If a Legal Aid lawyer is retained at $100 a day to be in court on every one of the 240 work days of the year, he would only cost $24,000. However, he only handles one case per day at that price, whereas a staff lawyer could handle a number of cases.

A long report on the public defender system was submitted by the Commission to the Attorney-General earlier this year. The pros and cons of that system and its cost benefits were examined. Unfortunately, exact comparative data was not available and therefore, it was very difficult to know if it was valid to compare one jurisdiction to another. The report concluded that it was not clear that a public defender system was cheaper. In the jurisdictions where defender costs were very low, so also was the quality of service. In B.C. the average cost per case is $154.00. In Seattle where they have a successful public defender system, their cost was $247 per case. The national average in the United States two years ago was $134 per case. All of the public defender systems also have to retain private attorneys in cases of conflict of interest.

It has been reported to us that the Quebec Legal Aid System, which utilizes all staff lawyers, is now suffering from increased case-load and the staff cannot give the cases the attention they require. This may be the reason why Quebec has a 90% guilty plea rate; staff lawyers may be refusing to defend marginal cases and advising clients that they therefore can only have a lawyer in court if they will plead guilty. The Commission does not think this is the way to conduct a legal aid system.

Restriction of Legal Aid in Some Cases

It has been suggested that Legal Aid not be advanced to

all accused who apply for it, but the Commission finds it hard to determine which accused should not receive it. Would it be those who appear likely to be guilty as opposed to those who seem to be more innocent? We considered the possibility of the pre-screening of cases, but decided that was unmanageable. In these conspiracy cases where there are hours of taped conversations to listen to and involved matters of fact and law to be examined, it would take almost as much time to screen the case as to prepare it for trial. However, the nature of the defence of criminal cases is a unique exercise. An accused is entitled to stand mute and to have the Crown prove its case against him, and he should be entitled to have counsel attend with him throughout the trial to be certain that the trial proceeds fairly and that everything is properly proven against him. He needs assistance to have the law fairly applied and interpreted on his behalf and this applies even more so to the procedure and rules of evidence. It is really contrary to our concept of criminal jurisprudence that only those who appear to be innocent should receive legal aid. Guilt or innocence cannot be prejudged by counsel or the Legal Aid Society.

The nature of the charge should not determine whether or not a person gets legal aid. Murderers, drug traffickers, robbers, child molesters, rapists and drunkards, though they be distasteful persons, are all entitled to a fair hearing before our courts.

It must also be remembered that it costs approximately $16,000 per year to keep a person in jail. Therefore, if the wrong person gets sent to jail, the costs are greater than the amount saved by not defending him.

Many philosophical and political considerations are involved when deciding what the scope of a legal aid scheme should be, and whether or not legal aid should be provided

in drug cases. Some people have stated that the present prosecution against traffickers and importers has done nothing to reduce the drug traffic in Vancouver. Some say it merely increases the price and attracts more people in the business. Some say that drugs should be legalized and made available under proper supervision and this would eliminate the problem. Should restrictions be placed on the type of cases for which legal aid will be provided? Should you only be allowed counsel if you take his advice? These and many other questions will have to be investigated in the coming year.

Another point that has often been made is that most crimes involve liquor and that the rate of crime would decrease if liquor consumption decreased or was handled more responsibly. Any government which reaps tremendous revenue from liquor sales must be prepared to finance the cost of the prosecution and defence of the criminal activity which accompanies much of the liquor consumption.

Recommendations

The Legal Services Commission has made certain recommendations to the Attorney-General for the future management of Legal Aid Tariffs and the handling of these costly conspiracy and trafficking cases.

Recommendation #1

> "That sufficient funds be made available so that legal aid can continue to be offered to all those eligible persons charged with offences under both Federal and Provincial statutes."

It is the Commission's view that all persons charged with crimes be provided legal aid if they are financially eligible. We find it unacceptable to try to sort out cases ahead of time. The lawyer assigned to a case must consult with the client and give him his best advice on how the case should be handled, and it should be a matter between

solicitor and client whether or not the client pleads guilty or defends. No type of serious case or indictable offence or case where the accused is facing imprisonment or loss of livelihood should be excluded. The Commission feels it is the cornerstone of any legal aid system that accuseds facing serious charges should be entitled to counsel.

Recommendation #2

"That no limit be placed on the Criminal Tariff Fund."

The question has also been raised that there is, of course, a limit to the amount of money available in British Columbia for legal aid in any one year, and that the Criminal Tariff may proceed to absorb all or most of the available funds, and therefore, should not some limit be placed on the Criminal Tariff. The answer is not found in restricting the Criminal Tariff. The increase in legal aid for criminal matters is a direct consequence of increased police investigation and prosecution. If there were no prosecutions, there would be no need for criminal legal aid.

If the government has a commitment to crime control, investigation and prosecution, then it must recognize, as an equal commitment, the resultant added costs for legal defences. Adequate funds must be provided to handle these defence costs in the same proportion that they are expended for police and prosecution costs. You cannot increase prosecution costs and then try to put a lid on defence costs. There are no figures available to show how much money is required for defence costs for each dollar of police work expended, but there no doubt is some correlation. Until a precise formula is worked out, the Criminal Tariff must be an open-ended fund so that it can respond to the fluc-

tuations in the degree of police investigation and prosecution as well as fluctuations in the crime rate. This correlation and commitment must be recognized by the government.

Recommendation #3

> "That the amount of money provided for the Criminal Tariff fund not be in diminution of the money necessary for civil and preventative legal services programs."

This commitment to an open-ended Criminal Tariff must not diminish the civil and preventative legal services programs. There will be greater benefits to society in the long run from money spent on these programs than there will be from money spent on criminal defences. If advice and aid cannot be given to citizens concerning their debt problems, Workers' Compensation appeals, or Landlord and Tennant problems, their individual situations may deteriorate and they may end up in the welfare role. If self-help programs cannot be undertaken, present recipients may never get off welfare. If young people cannot be shown that the legal system can be their friend, they may develop antagonism and hostility towards society and eventually run afoul of the law. Poor people must be assisted out of the desperation of poverty so they will not be tempted by crime. The Commission wants to make all citizens aware of their legal rights and wants to improve the quality of legal services throughout the Province. These objectives must not be set aside merely because of improved police investigation. Therefore, the budgets for the Legal Services Program throughout the Province must be set separately from the arrangements made for the Criminal Tariff.

Recommendation #4

> "That a task force be struck to investigate and to recommend the streamlining of criminal trial procedure."

The Commission recognizes that increased criminal defence costs are a real problem but thinks that much of the cost is caused by the present court procedure and rules of evidence. Some immediate change in the law relating to the reception of wire tap evidence must be considered in order that the inordinate length of these trials be shortened. The recommendation has been made that tapes be provided ahead of time to defence counsel so that they do not have to be fully played in court. Only those parts of the tapes that defence counsel challenges need be played.

There are probably other procedural anachronisms. It is therefore the recommendation of the Commission that a task force be struck to investigate criminal procedure and to recommend some streamlining and shortening of this procedure. Although the Federal Law Reform Commission has already investigated this matter and made recommendations on it, the Commission feels that the court should not be tied to this expensive procedure forever. All jurisdictions in Canada must be facing increased costs, and it would be in the interest of the whole country to cut down on the costs of trials.

Recommendation #5

"That the Legal Aid Society hire an investigator to verify the financial eligibility of applicants."

Some complaints have been received that clients who are not really financially eligible are receiving legal aid. This has become a very difficult problem for the Legal Aid Society to police because some applicants are very good at hiding their assets. To date the Legal Aid Society has had no investigatory force,and in fact, the experience in other jurisdictions indicates that money spent on such investigations usually merely breaks even with the amounts recovered. However, since the drug cases cost about $10,000 per accused

to defend, an investigator only has to smoke out one or two improper applicants to have earned his salary. In addition, he could investigate other suspicious claimants and achieve considerable savings for the Legal Aid scheme overall.

The existence of such an ivestigator should also scare off others who would try to cheat the system, but the amount thus saved will obviously never be known. In any event, the Commission thinks that such an investigator should be hired by the Legal Aid Society and his operations and success be monitored for his first year of operation. We should try to prevent the improper use of these public funds.

Recommendation #6

"That the Legal Aid Society institute a system requiring contribution or recovery from clients that can afford it."

In view of the large amounts of money that will be spent on Legal Aid, some attempt would appear warranted to have clients contribute something to their defence, either as a condition precedent to receiving legal aid, or by way of subsequent recovery. The applicants are not always totally without funds, nor do they remain insolvent for ever, and with an investigative capacity, the Legal Aid Society should be able to determine who can make some contribution to their defence costs.

It is not anticipated that such efforts will recover large amounts of money but any amounts recovered will enable the Legal Aid Society to extend their services without increasing their budget. Saskatchewan has been especially successful in obtaining contributions from clients in civil cases.

Recommendation #7

"That a pilot Public Defenders Office be opened in

Vancouver and that special funds be made available to run this office on an experimental basis pursuant to Section 7 (e) and 10 (2) of Legal Services Act."

Although the Commission cannot see the benefit at the present time of instituting a full public defender system, an experiment should be run to provide accurate comparison costs and performance factors. A Criminal Law staff office should be opened in Vancouver and its operations monitored. In this way the volume and type of case that can be handled and the costs involved can be studied.

Recommendation #8

"That special funds be made available under Section 10 (2) of the Act to allow the Legal Services Commission to conduct extensive research and enquiry into the methods of delivery of legal services with a view to improving service and reducing costs."

The Commission has been constantly aware that the necessary information and knowledge about the delivery of legal services in B.C., is lacking in order to make well informed decisions. There are many different systems of delivery existing in Canada, as well as in B.C., but no real comparative study has been done of them. No objective analysis has really been done of the adequacy of our existing Legal Aid offices, the method of referral of cases to willing lawyers, the utilization of experienced counsel versus young lawyers on Legal Aid cases, or many other aspects surrounding the method by which counsel is provided and paid for. It appears that every province in in Canada keeps its financial figures on a different basis; therefore, it is not possible to make valid cost comparisons between different systems of delivery.

There are many lawyers in B.C. who have had considerable experience in Legal Aid services, and there are many

conflicting opinions as to how Legal Aid should be provided. These opinions are held not only by lawyers but by judges, probation officers, police, court workers and members of the public. It is the obligation of the Commission to investigate all these and to try to bring the Criminal Legal Aid program (as well as the rest of the Legal Aid program) under a comprehensive plan so that the best of services is available at the most reasonable price.

Recommendation #9

> "That the Federal/Provincial Agreement be amended to delete the requirement that an applicant facing either life imprisonment or capital punishment can retain counsel of his own choosing."

This change would allow the Legal Aid Society to appoin one Counsel to any case, and if on his recommendation additional lawyers are needed they can then be appointed. This will reduce the number of lawyers the Criminal Tariff has to pay for on any one case.

Recommendation #10

> "That the Legal Aid Society be given more freedom to decide which summary and indictable offences will receive legal aid."

At the present time,shoplifting, as an example, is an indictable offence,but each case may not be serious enough to warrant appointment of Counsel. On the other hand, many of the moral charges are summary conviction matters and should have Counsel appointed. This recommendation will give the Legal Aid Society more opportunity to manage i Tariff and to make sure that Counsel is appointed in all of the serious cases, but not necessarily in the minor ones.

Recommendation #11

> "That the Federal Government increase its financial contribution to British Columbia because of the unique problems raised by the high crime rate and the number of conspiracy cases."

This recommendation is self-explanatory and lies in the realm of Federal/Provincial politics.

CHAPTER FIVE

FINANCIAL STATEMENTS AND BUDGET

1975/76 Fiscal Year

Section 15 of the Legal Services Commission Act requires the Commission, in its annual report to the Legislature, to provide an audited statement for its last completed fiscal year and its draft budget for the next fiscal year. Since the Commission has not been in operation a full year, the books have not yet been audited. Appendix B to this report shows the unaudited figures for the first nine months of the 1975/76 fiscal year. It must be noted that all programs were administered from the Legal Services Division of the Attorney-General's Department in the first six months ending September 30th. The Commission administered funds from October 1st, to December 31st, and is continuing to do so. The next annual report will contain the audited statements.

Under the Legal Services Commission Act, the Commission was to receive and administer its own funds. Although Section 15 of the Act states that the Commission's budget until March 31st, 1976, should be an amount not exceeding $6,000,000, that was not to be the amount the Commission was to receive. The $6,000,000 was an approximation of the amounts taken from various votes of the 1975 Legislature covering both the Legal Aid Society and all the programs administered under Legal Services Division. The amount the Commission administered for the balance of the year was about $1,500,000.

Table C shows the sources of funds for legal services programs in B.C. during 1975/76 fiscal year. It also shows the per capita contribution for legal services at various stages of funding. This table shows that the

TABLE C

SOURCES OF FUNDS FOR LEGAL SERVICE PROGRAMS IN B.C. 1975/76

Population of B.C. 2,471,000.

			Per Capita Contribution
Provincial Funds			
To Legal Services Division Legal Services Commission, and Legal Aid Society		$5,196,285.55	2.10
To other organizations through Justice Development Fund			
Vancouver People's Law School	$25,962.00		
Minus One (New Westminster)	13,236.25		
Native Courtworkers Assoc.	8,692.00	47,890.25	
		$5,244,175.80	2.12
Federal Funds			
Criminal Legal Aid (50¢ per capita)		1,235,500.00	
		$6,479,675.80	2.62
Additional Dept.of Justice contribution			
VCLAS	$20,000.00		
VCLAS (Phone-line)	9,000.00		
Abbotsford Community Law Office	20,000.00		
B.C.Civil Liberties Association	20,000.00		
Native Courtworkers and Counselling Association	300,000.00	369,000.00	
		$6,848,675.80	2.77
Law Foundation			
To Legal Aid Society	$375,000.00		
To Legal Services Commission	241,490,00		
To VCLAS	58,500.00	674,990.00	
		$7,523,665.80	3.04
City of Vancouver			
To VCLAS	19,500	19,500.00	
Total spent on Legal Service Projects in B.C.		$7,543,165.80	3.05

Provincial Government provided $2.12 per capita for public legal services. The figure rises to $2.62 per capita when you consider that the Federal money for criminal legal aid goes into the Consolidated Revenue of the Province.

Draft Budget for 1975/76

The normal governmental procedure is to have all departments submit their budgetary needs for the next fiscal year (commencing April 1st) by September. Before the Legal Services Commission was even officially created by Order in Council, the Commissioners were advised of this requirement. Therefore, before the Commission had an opportunity to plan its operations for the coming year, it had to draw a budget. In view of this reverse process, the Commission budgeted for a continuation of all satisfactory, existing operations. The first budget totalled $18,000,000.

By the time these figures were first presented in November, 1975, the realization of the Province's financial difficulties were first appearing and these figures were clearly unacceptable. By December, the Commission had developed a budget showing $12,136,000 was necessary to maintain existing services, with some improvement in quality, and $15,402,300 was necessary to allow for expansion. Budget work has predominated our activities right up to the present time. At the time of writing this report it is clear that money will not be available to expand public legal services in British Columbia in the coming year. However, the improvements that are needed and which the Commission had planned are as follows:

Community Offices - Each legal information centre was to add a full-time staff lawyer and thus become a law office. Some planned to increase the number of information

counsellors to handle increased case loads. Expanded operations in each community were planned. A Research Department was planned for the Legal Services Commission consisting of three research officers, a lawyer and support staff. $200,000 was budgeted to finance new offices and projects.

Public Information and Library Services - Increased workshops and grants to new libraries were planned, as was the development of bibliographies for non-law libraries.

Public Education - Increased expenditure was planned to develop more materials such as advertising campaigns, newspaper columns, ethnic radio programs, courses for new Canadians, radio dramas, pamphlets, lectures and seminars, development of new handbooks on legal matters and production of resource material for community offices.

Native Programs - Travel is a large expense in this program for visiting remote areas of the Province. Legal Information Offices were planned for four coastal villages and for four localities in the Williams Lake-Chilcotin Area. Legal Information Offices were planned for six Indian Friendship Centres.

Training - Training programs were envisaged for Legal Information Counsellors (six weeks), staff lawyers (two weeks), and for support staff in Community Law offices (four weeks). A four week training course was also planned for the secretarial staff of the Legal Aid offices to enable them to better carry out a paralegal function. Six weeks training was also planned for the Native legal information counsellors and three weeks for the Native phone line attendants.

Legal Aid Society - To handle increased case loads additional lawyers were planned in five existing offices.

Two new offices, in Powell River and Richmond were planned. There was to be an expanded Adult Duty Counsel scheme and the creation of a new Juvenile Duty Counsel scheme. An increase reserve was to be provided to handle large actions and test cases. Increased travel allowances were to be provided to handle cases in remote areas and an expanded research program was desired. The Criminal Tariff was estimated at $5,094,000 and the Family Tariff was estimated at $1,045,000.

Native Courtworkers Association - An extensive evaluation of the Native Courtworkers and Counselling Association was made in 1975. The report has recommended increased training and supervision for the courtworkers, and the expansion of their duties to cover Juvenile and Family counselling and Community Development work.

In Table D the Commission presents not only its draft budget for 1976/77 but also an estimate of the total expenditure for 1975/76.

The Need for Public Legal Services

The planned expansion of legal services was the Commission's attempt to respond to the needs of the people of British Columbia. These needs have been made clear as the Commissioners and staff have travelled throughout the Province speaking to workers, lawyers, judges, police, social workers and civic officials. Most importantly they spoke to the citizens of each community.

Public legal services are not make-work giveaway programs. They respond to a definite and often urgent need for help in people's lives. By the time someone seeks legal advice, he is usually at a loss to know how to help himself. He may feel threatened or desperate especially if he faces eviction, seizure of his goods,

TABLE D

	Estimated Total Expenditure for 1975/76	Draft Budgets for 1976/1977 Maintenance Budget for 1976/77	Draft Budgets for 1976/1977 Expansion Budget for 1976/77
Contingency			$200,000.00
Administration	$94,204.73	$190,700.00	315,500.00
Commissioners	71,305.00	181,100.00	181,100.00
Community Offices	604,741.98	1,408,400.00	1,728,300.00
Public Schools Projects	75,400.00	208,200.00	208,200.00
Public Information and Libraries	60,431.00	148,700.00	189,800.00
Public Education	145,836.60	233,900.00	395,500.00
Training	37,590.00	153,700.00	303,300.00
Native Programs	264,150.24	391,300.00	795,200.00
Legal Aid Society			
- Operations	1,528,738.00	2,320,000.00	3,300,400.00
- Criminal Tariff	3,100,000.00	5,000,000.00	5,490,000.00
- Family Tariff	700,000.00	1,000,000.00	1,095,000.00
Native Courtworkers	665,878.00	900,000.00	1,200,000.00
	* $7,348,275.55	** $12,136,000.00	** $15,402,300.00

Notes on Table D

* Of this total of $7,348,275.55 the following amounts were contributed from other sources:			$7,348,275.55
Law Foundation - To Legal Aid Society		$375,000.00	
- To Legal Services Commission		241,490.00	
Federal Department of Justice - To Native Courtworkers		300,000.00	-916,490.00
Total Provincial Budget			$6,431,785.55
Federal Department of Justice also contributed 50¢ per capita for Criminal Legal Aid			-1,235,500.00
Total Provincial contribution to Legal Services Commission			$5,196,285.55
** Contributions to these totals are expected to come from the following sources:		$12,136,000.00	$15,402,300.00
Law Foundation - To Legal Aid Society	$500,000.00		
Federal Dept. of Justice - To Native Courtworkers	300,000.00	- 800,000.00	- 800,000.00
Budget Needed		$11,336,000.00	$14,602,300.00
Federal Department of Justice also contributed 75¢ per capita for Criminal Legal Aid		- 1,853,250.00	- 1,853,250.00
Total Provincial contribution to Legal Services Commission		$9,482,750.00	$13,749,050.00

prosecution, loss of pension or welfare payments or proceedings in Small Claims or Family Court. These problems are happening every day to more citizens than our limited services can reach. Expansion of public legal services is a necessity if we intend to disprove the saying that there is one law for the rich and another for the poor.

Budget of $7,000,000

The Government's budget tabled in Legislature allows $7,000,000 to the Legal Services Commission. This is clearly well below the amount the Commission has requested to maintain adequate legal services. The consequences of such a cut from the approximately $11,000,000 that is needed from the Provincial Treasury alone (excluding money from the Law Foundation and the Federal contribution to Native Courtworker programs) is that some Legal Aid and Community offices may have to close, experienced workers and lawyers may have to be laid off, the availability of service to citizens will have to be reduced, the development of improvements in our services and systems will be stalled, and efforts at public education will be reduced to a minimum. The legal services system will have virtually no capacity to enter upon preventative programs.

Cutting back on legal services will not save money. If an accused person does not have counsel, his trial often takes longer. If an accused person is wrongly convicted, it costs approximately $16,000 per year to keep him in jail. If preventative programs cannot be developed, more and more persons will come before the Courts. The backlog of cases will grow, and it will cost the Government more money for judges, prosecutors, court officials, probation officers, and correction personnel to handle the increased number of charges. If preventative programs cannot be instituted, the amount required for legal aid criminal defences in

future years will grow.

As mentioned earlier in this report, if Civil legal aid cannot be given to citizens concerning their financial problems, their personal situation may deteriorate and they may end up on welfare. If self-help programs cannot be undertaken, present recipients may never get off welfare.

Native communities in the northern part of the Province and along the coast are especially poorly served at present. Not only do they need legal advice, but they need help in preventative programs such as Juvenile work, family and alcohol counselling, probation work and prison liaison.

There can be no doubt but that with cutbacks in the field of Human Resources the community offices will be called upon more and more to assist people with their problems.

If the Government cannot be persuaded to increase its allowance for public legal services, then difficult decisions will have to be made as to how that money should be distributed. What is to be the balance between the provision of Civil legal aid and the legal aid Criminal Tariff? Will choices have to be made between giving legal aid to people accused with criminal offenses, or to the unemployed, the pensioner, and the deserted mother? Each should be entitled to legal services. Can we afford it? Should the drug conspiracy cases get legal aid if it means reducing the availability of aid to many individuals charged with minor offences?

Possibly 3,000 people per month are presently being assisted by public legal services in British Columbia today. These are essential services. They affect the quality of

life. They affect a man's ability to feed and shelter his family. We trust the Government will provide adequate funds to enable the Legal Services Commission to deliver these services adequately.

CHAPTER SIX

ISSUES FOR THE FUTURE

In the first seven months, the Commissioners have attempted to study the whole range of public legal services in the Province. The Commission has tried to work with the Legal Aid Society and all other organizations on their problems in a cooperative effort. We have not planned wholesale changes to existing schemes. Many of the Community Law offices and Community Legal Information Centres had been open only a few months when the Commission began operation September 1st. Some have opened since then. Their method of operation and their range of services is a challenging new development in the delivery of legal services, but their full utility cannot be fairly determined until they have had adequate time to develop and gain public acceptance (or rejection). The Commission is studying the concepts behind the use of Community Boards and paralegal workers and examining the services they are delivering and the degree of clients' satisfaction.

The Legal Services Commission Act gives the Commission no express power to direct what services shall be delivered. The Commission cannot issue regulations setting standards of eligibility, coverage, or tariffs. The Commission's only power is to grant or withhold funding - an all-or-nothing sanction. Therefore it is very important that the Commission develop credibility, confidence, and goodwill among all organizations in the Province so that changes in the system as are needed can be brought about by persuasion and cooperation rather than by threats of withholding funding.

Essential in the process of studying public legal

services and developing policy for the future is the need to consult with people and organizations directly involved in the delivery of these services. The Commission plans to consult with clients, judges, lawyers, social workers, police, probation officers, government officials, and neighbourhood groups in the development of its policies.

The Commission also realizes that it must analyze the cost of all public legal services and to recommend the most efficient way that money can be spent, while still maintaining quality service.

Instead of formulating goals and objectives in the abstract, the Commission has tried to let policy evolve as it gained familiarity with the system and as particular problems arose. Having completed seven months of operation the Commission is now setting its goals and objectives for the next fiscal year and planning specific research into some of the more controversial areas of legal services - areas in which the public and professional opinion is divided. Some of these issues are:

a) What are the priorities between Civil and Criminal legal aid?

b) How effective is our legal aid system?

c) How valid is the concept behind Community Law Offices?

d) Should paraprofessionals be engaged in Community or Legal Aid Offices and if so to what extent?

e) How valid is the concept that Community Law offices must have a community based Board of Directors, and should Legal Aid Offices be required to have Community Boards?

f) Should legal aid services operate mainly through the private profession or should greater use be made of staff lawyers in both Civil and Criminal work? Should a Public Defenders Office be developed?

g) Is criminal legal aid being offered to too many people? Are financial eligibility requirements being enforced strictly enough? Are lawyers being paid too little or too much to handle legal aid matters.

h) How should the larger urban centres of Vancouver and Victoria be serviced?

i) What should be the goals and methodology of public education and information programs?

j) How can legal services be effectively provided to remote areas of the Province?

k) Should legal aid be extended to middle income earners on a sliding scale so that at least part of the cost of legal services would be covered for them?

l) How can increased legal services to the Native community best be developed?

Legal Services Commission Act

Interpretation.

1. In this Act, unless the context otherwise requires,

"commission" means the Legal Services Commission established by this Act;

"legal services" includes

(i) education, advice, and information in or about law; and

(ii) any legal service that may be provided by a barrister and solicitor or a notary public;

"minister" means that member of the Executive Council charged by Order of the Lieutenant-Governor in Council with the administration of this Act. 1975, c. 36, s. 1.

Commission established.

2. There is hereby established a corporation to be known as the "Legal Services Commission." 1975, c. 36, s. 2.

Object and purpose.

3. The object and purpose of the commission is to see that legal services are effectively provided to, and readily obtainable by, the people of British Columbia, with special emphasis on those people to whom those services are not presently available for financial or other reasons. 1975, c. 36, s. 3.

Members of commission.

4. (1) The commission shall consist of 5 members of whom

(*a*) 2 shall be appointed by the Lieutenant-Governor in Council;

(*b*) 2 shall be appointed by the Benchers of the Law Society of British Columbia; and

(*c*) one shall be appointed by the Attorney-General for British Columbia after consultation with the Minister of Justice for Canada.

(2) Before appointing any member of the commission, each person or body with power to make appointments shall consult with every other person or body with that power.

(3) Each member shall be appointed for a term of 2 years and no member of the commission shall hold office for more than 6 consecutive years.

(4) Where a vacancy exists in the membership of the commission, the person or body who appointed the member may appoint a successor, and the person so appointed shall hold office only for the remainder of the term for which his predecessor was appointed.

(5) The Lieutenant-Governor in Council may appoint a member of the commission to be chairman.

(6) Three members of the commission constitute a quorum and, in the case of equality of votes, the chairman may cast a second and deciding vote.

(7) Each member shall be reimbursed for reasonable travelling and out-of-pocket expenses necessarily incurred by him in discharging his duties, and, in addition, may be paid such remuneration for his services as the Lieutenant-Governor in Council may determine. 1975, c. 36, s. 4.

Agent of Crown.

5. (1) The commission is for all purposes an agent of the Crown in right of the Province.

(2) The commission may, on behalf of the Crown in right of the Province, carry out its powers and duties under this Act in its own name and may, with the consent of the Lieutenant-Governor in Council, hold real estate in its own name and may sell, mortgage, lease, assign, or otherwise dispose of it. 1975, c. 36, s. 5.

Staff.

6. (1) The commission shall appoint an executive director, who shall be paid such remuneration as the commission may determine.

(2) The commission or, if authorized by the commission, the executive director, may, notwithstanding the *Public Service Act*, appoint such officers and employees and engage and retain such specialists and consultants as may be required to carry out the functions of the commission, and may determine the remuneration of such persons.

(3) The *Public Service Act* and the *Public Service Labour Relations Act* do not apply to the commission or its officers and employees appointed under this section; but the Lieutenant-Governor in Council may, by order, direct that some or all of the provisions of the *Public Service Superannuation Act* apply to some or all of the officers and employees of the commission and the provisions of that Act shall apply accordingly. 1975, c. 36, s. 6.

Functions.

7. It is the function of the commission

(*a*) to plan the development of legal services in the Province;

(*b*) to consult with local and regional governments, educational institutions, community, neighbourhood, professional, and other groups having an interest in any aspect of the provision of legal services;

(*c*) to promote, establish, finance, and supervise research respecting legal services within the Province and to provide a programme of continuing evaluation of existing and proposed programmes and projects for the provisions of legal services;

(*d*) to provide financial and other assistance to persons or organizations for the operation of programmes and projects for the provision of legal services on such terms and conditions as the commission considers appropriate;

(*e*) to develop and co-operate in experimental programmes and projects respecting any aspect of the provision of legal services, and for those purposes, to employ staff necessary to initiate, develop, and operate the programmes and projects;

(*f*) to receive and encourage proposals from the public for new programmes and projects;

(*g*) to co-operate with educational institutions, the Law Society of British Columbia, the British Columbia Branch of the Canadian Bar Association, The Society of Notaries Public and other persons respecting the education and training of persons providing legal services in the Province; and

(*h*) to provide information to the public respecting the availability of legal services. 1975, c. 36, s. 7.

Saving.

8. This Act does not affect the powers of the Benchers under the *Legal Professions Act* or of the directors of The Society of Notaries Public under the *Notaries Act* or the limitations or prohibitions respectively provided for in those Acts. 1975, c. 36, s. 8.

Companies Act.

9. Except as provided in this Act, the *Companies Act* does not apply to the commission, but the Lieutenant-Governor in Council may, by order, direct that the *Companies Act* or any provision of it applies to the commission and thereupon that provision shall apply to the commission. 1975, c. 36, s. 9.

Receipt of funds.

10. (1) For the purposes of this Act, the commission may receive any money, securities, or other property by gift, bequest, or otherwise, and may invest, expend, administer, or dispose of that money, securities, or other property subject to the terms, if any, upon which the money, securities, or other property is given, bequeathed, or otherwise made available to the commission.

(2) The minister may make grants to the commission upon such terms and conditions as the minister may prescribe.

(3) The commission may

(*a*) subject to the terms and conditions that may be prescribed under subsection (1) or (2), deposit money acquired by it in a bank, a trust company registered under the *Trust Companies Act*, a credit union registered under the *Credit Unions Act*, or a financial institution established by the Government, and, notwithstanding the *Revenue Act*, the money or the interest thereon does not form part of the Consolidated Revenue Fund; and

(*b*) invest, expend, administer, or dispose of the money and the interest thereon for the purposes of this Act,

but money held by the commission is the property of the Crown in right of the Province. 1975, c. 36, s. 10.

Agreements.

11. The commission may enter into such agreements as it considers advisable for the purposes of this Act, but an agreement with

(*a*) the Government of Canada; or

(*b*) an agent of the Crown in right of Canada or this or any other province, or an agent of another country or state; or

(*c*) a department of government of a province or Canada,

is subject to the approval of the Lieutenant-Governor in Council. 1975, c. 36, s. 11.

Fiscal year.

12. The fiscal year of the commission is the same as the fiscal year of the Government. 1975, c. 36, s. 12.

Audit.

13. The Comptroller-General or a person designated by him shall, at least once in each fiscal year of the Government, audit the books, accounts, and financial affairs of the commission. 1975, c. 36, s. 13.

Reports.

14. The commission shall submit annually

(*a*) a report respecting the operation of the commission and an audited financial statement showing the financial operations of the commission for the preceding fiscal year of the Government; and

(*b*) a draft budget for the next fiscal year of the Government,

and the report, financial statement, and draft budget shall be laid before the Legislative Assembly if it is then sitting, otherwise within 15 days after the opening of the first session in the following calendar year. 1975, c. 36, s. 14.

Appropriation.

15. The moneys required for the purposes of this Act shall, until March 31, 1976, be paid out of the Consolidated Revenue Fund in an amount not exceeding $6 million, and thereafter shall be paid out of such moneys as may be appropriated therefor by the Legislature, and shall be paid over to the commission in periodic instalments in the manner and at the times directed by the Minister of Finance. 1975, c. 36, s. 15.

Commencement.

16. This Act comes into force on a day to be fixed by Proclamation. 1975, c. 36, s. 16.

[NOTE.—Act proclaimed in force August 1, 1975, B.C. Reg. 520/75, Part II Gazette Vol. 18, p. 702.]

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1975

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LEGAL SERVICES COMMISSION
FINANCIAL STATEMENT
as at December 31, 1976.

APPENDIX B

	Legal Services Division Apr. 1/75 to Sept.30/75	Legal Services Commission Oct. 1/75 to Dec. 31/75	Total to Dec. 31/75	Committed Balance	Estimated Total For 75/76
Administration					
Salaries	155,356.12	87,238.19	242,594.31	89,646.19	332,240.50
Operating					
Office expenses	11,766.70	4,804.42	16,571.12	1,195.58	17,766.70
Travel	12,143.51	6,304.14	18,447.65	11,695.85	30,143.50
Furniture and Equipment	7,912.90	7,835.31	15,748.21	1,164.69	16,912.90
Advertising	1,364.84	778.50	2,143.34	3,721.50	5,864.84
Printing	3,663.08	47.96	3,711.04	9,952.04	13,663.08
Workshops	1,353.71	Ø	1,353.71	Ø	1,353.71
Miscellaneous	Ø	Ø	Ø	500.00	500.00
Renovations	Ø	Ø	Ø	8,000.00	8,000.00
	38,204.74	19,770.33	57,975.07	36,229.66	94,204.73
Legal Aid Society (1)	450,000.00	Ø	450,000.00	330,000.00	780,000.00
Native Courtworkers (2)	365,878.00	Ø	365,878.00	Ø	365,878.00
Community Development (11)					
Matsqui Sumas Abbotsford (6)	52,643.25	4,263.42	56,906.67	20,582.56	77,489.23
Kamloops Civil Liberties	33,287.39	1,855.97	35,143.36	13,192.78	48,536.14
Mapel Ridge-Pitt Meadows	27,156.52	1,601.46	28,757.98	9,585.90	38,343.88
Nanaimo - A.I.D.	33,808.78	Ø	33,808.78	Ø	33,808.78
Powell River Civil Liberties (+ student clinics)	36,842.12	1,659.96	38,502.08	13,101.18	51,603.26
Quesnel Civil Liberties	26,097.30	2,873.24	28,970.54	9,652.74	38,623.28

South Okanagan Civil Liberties(Penticton)	36,701.58	1,742.91	38,444.49	13,147.69	51,592.18
Smithers Community Law Centre	23,700.00	15,292.53	38,992.53	28,275.87	67,268.40
Victoria Community Action Group	Ø	24,749.42	24,749.42	20,610.12	45,359.54
B.C.Civil Liberties (7)	25,557.00	469.00	26,026.00	8,519.00	34,545.00
Williams Lake Civil Liberties (4)	500.00	9,480.00	9,980.00	16,520.00	26,500.00
Minus One (New West.) (3)(10)	Ø	13,236.25	13,236.25	12,1152.55	25,388.80
Prince Rupert (3)	Ø	Ø	Ø	12,303.49	12,303.49
VCLAS (8)	Ø	18,552.00	18,552.00	27,828.00	46,380.00
Disbursements	Ø	Ø	Ø	2,000.00	2,000.00
Audits	Ø	Ø	Ø	5,000.00	5,000.00
	296,293.94	95,776.16	392,070.10	212,671.88	604,741.98
Public Legal Education					
Ethnic Program (3)	1,98.58	9,547.24	11,455.82	15,838.05	27,293.87
Vancouver Peoples' Law School (9)	10,000.00	Ø	10,000.00	5,000.00	15,000.00
Interior Legal Awareness (3) (11)	1,575.00	16,989.35	18,564.35	,549.86	28,114.21
Newspaper Columns (3)	Ø	Ø	Ø	2,160.00	2,160.00
Media Consultant (3)	Ø	1,017.54	1,017.54	2,233.46	3,251.00
Soap Operas (3) (5)	Ø	Ø	Ø	3,500.00	3,500.00
Journalists Handbook (3)	Ø	Ø	Ø	650.00	650.00
Wills, Estates Handbook (3)	Ø	2,375.00	2,375.00	9,375.00	11,750.00
VCLAS (3)	Ø	7,200.00	7,200.00	10,800.00	18,000.00
Second Language VCC (3)	Ø	1,000.00	1,000.00	500.00	1,500.00
Family Law (4)	Ø	14,207.96	14,207.96	5,674.54	19,882.50
Miscellaneous	Ø	Ø	Ø	10,000.00	10,000.00
High School Program	2,700.00	Ø	2,700.00	Ø	2,700.00
University of Victoria Training	2,035.02	Ø	2,035.02	Ø	2,035.02
	18,218.60	52,337.09	70,555.69	75,280.91	145,836.60

Public Schools Legal Education (3)	Ø	18,877.90	18,877.90	56,522.10	75,400.00
Legal Information Services	10,000.00	28,228.23	38,228.23	22,202.77	60,431.00
Training & Education (4)	8,000.00	4,054.83	12,054.83	25,535.17	37,590.00
Native Programs	103,500.00		103,500.00		103,500.00
Travel		3,830.27	3,830.27	9,560.95	13,391.22
Fee for Service		6,190.26	6,190.26	17,940.20	24,130.46
P.A.C.I.F.I.C.		5,859.72	5,859.72	8,414.28	14,274.00
Queen Charlottes		Ø	Ø	30,048.00	30,048.00
Courtworkers Phoneline		Ø	Ø	21,449.50	21,449.50
Nicola Valley Friendship (3)		11,250.00	11,250.00	18,750.00	30,000.00
Hazelton		Ø	Ø	7,000.00	7,000.00
Miscellaneous		Ø	Ø	17,381.46	17,381.46
Law School Recruit		Ø	Ø	2,975.60	2,975.60
		27,130.25	130,630.25	133,519.99	264,150.24
Commissioners					
Travel	Ø	3,528.40	3,528.40	2,871.60	6,400.00
Fee for Service	Ø	15,498.00	15,498.00	21,297.00	36,795.00
Salaries	Ø	11,881.00	11,881.00	16,229.00	28,110.00
	Ø	30,907.40	30,907.40	40,397.60	71,305.00
	$1,445,451.40	$364,320.38	$1,809,771.78	$1,022,006.27	$2,831,778.05

NOTES TO APPENDIX B

FINANCIAL STATEMENT
as at December 31st, 1975.

1. These figures do not include the Criminal or Family Tariffs. (See Chapter 5). Legal Aid Society also received $375,000 from the Law Foundation for the running of its Vancouver office.

2. The Native Courtworkers and Counselling Association also received $300,000 from the Federal Department of Justice, and $8,692 from the Justice Development fund.

3. Financedthrough Law Foundation grant.

4. Funded in part by the Law Foundation.

5. Federal Department of Justice also contributed $3,500 to this program.

6. Federal Department of Justice also contributed $20,000.

7. Federal Department of Justice also contributed $20,000.

8. VCLAS also received the following funds:

Department of Justice	$20,000
City of Vancouver	19,500
Law Foundation	58,500
Department of Justice Special Grant for Phone-line	9,000
	$107,000

9. Vancouver People's Law School also received $25,962 from the Justice Development Fund.

10. Minus One also received $13,236.25 from the Justice Development Fund.

11. The Community Law Offices and Legal Information Centres received funding from the Legal Services Commission commencing with the following dates:

Offices	Funding Commencement Date
Matsqui Sumas Abbotsford	April 1, 1975
Kamloops Civil Liberties	May 1, 1975
Maple Ridge - Pitt Meadows	April 1, 1975
Minus One	October 1, 1975
Nanaimo - A.I.D.	April 1, 1975
Powell River Civil Liberties	May 1, 1975
Quesnel Civil Liberties	May 1, 1975
Smithers Community Law Centre	August 1, 1975
Williams Lake Civil Liberties	December 1, 1975
B.C. Civil Liberties	May 1, 1975
Victoria Community Action Group	October 1, 1975
South Okanagan Civil Liberties	May 1, 1975
Interior Legal Awareness	September 1, 1975

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